

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1988

1 WHEREAS, Susan and Donald Brouse, Thomas Folsom and National Bank
2 of Commerce Trust and Savings Association have submitted an application designated as
3 Special Permit No. 1988 for authority to develop Tamarin Ridge Community Unit Plan
4 consisting of approximately 441 dwelling units with waivers of the maximum height and to
5 defer review and approval of site plans, ground signs, and required landscape plans for the
6 multi-family dwellings to the time of building permits, on property located at southwest of
7 the intersection of South 27th Street and Porter Ridge Road, and legally described to wit:

8 A portion of Lot 32 I.T., located in the Northeast Quarter of
9 Section 24, Township 9 North, Range 6 East of the 6th P.M.,
10 Lancaster County, Nebraska, more particularly described as
11 follows:

12 Beginning at the northwest corner of Lot 32 I.T.; thence in an
13 easterly direction on the northerly line of said Lot 32 I.T. and
14 on an assumed bearing of south 89 degrees 36 minutes 22
15 seconds east, a distance of 1808.33 feet; thence south 00
16 degrees 23 minutes 38 seconds west, a distance of 571.38
17 feet; thence south 72 degrees 29 minutes 32 seconds east, a
18 distance of 265.60 feet; thence south 89 degrees 40 minutes
19 59 seconds east, a distance of 198.45 feet; thence south 00
20 degrees 19 minutes 01 seconds west, a distance of 311.00
21 feet; thence north 89 degrees 40 minutes 59 seconds west, a
22 distance of 66.79 feet; thence on a curve to the right having a
23 radius of 300.00 feet, central angle of 42 degrees 20 minutes
24 11 seconds, on a chord bearing of north 68 degrees 30
25 minutes 53 seconds west, a chord distance of 216.66 feet to
26 the point of reverse curve; thence on a curve to the left having
27 a radius of 300.00 feet, central angle of 51 degrees 31 minutes
28 30 seconds, on a chord bearing of north 73 degrees 06
29 minutes 32 seconds west, a chord distance of 260.79 feet to
30 the point of tangency; thence south 81 degrees 07 minutes 43

seconds west, a distance of 149.59 feet; thence on a curve to the right having a radius of 450.00 feet, central angle of 43 degrees 07 minutes 47 seconds, on a chord bearing of north 30 degrees 26 minutes 11 seconds west, a distance of 330.80 feet to the point of tangency; thence north 52 degrees 00 minutes 04 seconds west, a distance of 320.91 feet; thence on a curve to the left having a radius of 250.00 feet, central angle of 52 degrees 23 minutes 43 seconds on a chord bearing of south 64 degrees 11 minutes 47 seconds west, a distance of 220.73 to the point of tangency; thence north 89 degrees 36 minutes 22 seconds west, a distance of 131.66 feet; thence south 00 degrees 23 minutes 38 seconds west, a distance of 150.00 feet; thence north 89 degrees 36 minutes 22 seconds west, a distance of 369.00 feet; thence south 84 degrees 57 minutes 13 seconds west, a distance of 52.59 feet; thence south 66 degrees 15 minutes 06 seconds west, a distance of 48.63 feet; thence south 47 degrees 35 minutes 46 seconds west, a distance of 48.62 feet; thence north 51 degrees 43 minutes 51 seconds west, a distance of 150.00 feet; thence on a curve to the left having a radius of 300.00 feet, a central angle of 21 degrees 46 minutes 49 seconds, on a chord bearing of south 27 degrees 22 minutes 45 seconds west, a chord distance of 113.36 feet; thence south 73 degrees 30 minutes 40 seconds east, a distance of 150.00 feet; thence south 06 degrees 58 minutes 45 seconds west, a distance of 50.55 feet; thence south 00 degrees 12 minutes 31 seconds east, a distance of 329.70 feet; thence south 06 degrees 38 minutes 21 seconds west, a distance of 30.00 feet; thence on a curve to the right having a radius of 150.00 feet, a central angle of 83 degrees 40 minutes 41 seconds, on a chord bearing of south 41 degrees 31 minutes 19 seconds east, a chord distance of 200.11 feet to the point of tangency of said curve; thence south 00 degrees 19 minutes 01 seconds west, a distance of 59.94 feet to a point on the south line of Lot 32 I.T.; thence along the south line of Lot 32 I.T. north 89 degrees 40 minutes 59 seconds west, a distance of 428.00 feet to the southwest corner of Lot 32 I.T.; thence along the westerly line of Lot 32 I.T. on a bearing of north 00 degrees 12 minutes 31 seconds west, a distance of 1327.62 feet to the point of beginning and containing a calculated area of 1,399,012.66 square feet, or 32.12 acres, more or less;

WHEREAS, the real property adjacent to the area included within the site

1 plan for this community unit plan will not be adversely affected; and

2 WHEREAS, said site plan together with the terms and conditions hereinafter
3 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
4 Code to promote the public health, safety, and general welfare.

5 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
6 Lincoln, Nebraska:

7 That the application of Susan and Donald Brouse, Thomas Folsom and
8 National Bank of Commerce Trust and Savings Association, hereinafter referred to as
9 "Permittee", to develop Tamarin Ridge Community Unit Plan, on the property legally
10 described above, be and the same is hereby granted under the provisions of Section
11 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that
12 construction and operation of said community unit plan be in strict compliance with said
13 application, the site plan, and the following additional express terms, conditions, and
14 requirements:

- 15 1. This permit approves 441 dwelling units.
- 16 2. This permit approves a waiver to the maximum height in the R-4
17 Zoning District from 35' to 45'.
- 18 3. The Planning Director is hereby authorized to approve the site plans,
19 ground signs, and required landscape plans for the multi-family dwellings at the time
20 building permits are issued.
- 21 4. Before receiving building permits:
22 a. A recreation plan must be approved which includes recreation

1 facilities for small children on-site with the apartments.

2 b. A site plan showing building layout, including a landscape plan
3 showing all required landscaping and the required screening
4 for apartments, and any proposed signs.

5 c. The construction plans must conform to the approved plans.

6 5. Before occupying the dwelling units all development and construction
7 must be completed in conformance with the approved plans.

8 6. All privately-owned improvements must be permanently maintained
9 by the Permittee or an appropriately established homeowners association approved by the
10 City Attorney.

11 7. The site plan approved by this permit shall be the basis for all
12 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
13 elements, and similar matters.

14 8. The terms, conditions, and requirements of this resolution shall be
15 binding and obligatory upon the Permittee, their successors, and assigns. The building
16 official shall report violations to the City Council which may revoke the special permit or
17 take such other action as may be necessary to gain compliance.

18 9. The Permittee shall sign and return the City's letter of acceptance to
19 the City Clerk within 30 days following approval of the special permit, provided, however,
20 said 30-day period may be extended up to six months by administrative amendment. The
21 City Clerk shall file a copy of the resolution approving the special permit and the letter of
22 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
23 Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2003:

Mayor